

Economic Impact Statement
LSA Document #13-350

IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses**Description of Rule:**

Under [IC 16-19-3-4](#), ISDH has the authority to adopt rules in order to protect or improve public health in the state, including rules concerning the disposition of excremental and sewage matter. Under [IC 16-19-3-5](#), ISDH may adopt rules for the efficient enforcement of any of the provisions of that article.

This rule revision amends [410 IAC 6-8.3-35](#) concerning the definition of residential sewer; [410 IAC 6-8.3-52](#) concerning ownership of a temporary sewage holding tank; [410 IAC 6-8.3-57](#) concerning the separation distance between an on-site sewage system and a lake or reservoir used as a public water supply; [410 IAC 6-8.3-61](#) concerning the construction of septic tank baffles; [410 IAC 6-8.3-64](#) to clarify the daily flow rating for septic tank outlet filters; [410 IAC 6-8.3-76](#) to amend the discharge rate for flood dosed systems and correct the volume of a dosing tank under certain conditions; and [410 IAC 6-8.3-90](#) to eliminate the requirement for removal of abandoned buried electric lines.

The amendment will take effect 30 days after the filing with the Publisher.

Economic Impact on Small Businesses**1. Estimate the number of small businesses, classified by industry sector, that will be subject to the proposed rule.**

Tank manufacturers – 44

On-site system installers – 500

2. Estimate of the average annual reporting, record keeping, and other administrative costs that small businesses will incur to comply with the proposed rule.

There are no record keeping or reporting requirements in the current rule and none are being added.

3. Estimate of the total annual economic impact that compliance with the proposed rule will have on small businesses subject to the rule.

Tank manufacturers – No fiscal impact

On-site system installers – Any fiscal impact will be positive as more sites will be available for development. Some of the requirements for systems have been reduced, more flexibility added, or clarified with no additional impact.

4. Statement justifying any requirement or cost that is imposed on small businesses by the rule; and not expressly required by the statute authorizing the agency to adopt the rule; or any other state or federal law.

This rule will not add any expenses to small businesses.

5. Regulatory Flexibility Analysis

Other factors considered:

A. Establishment of less stringent compliance or reporting requirements for small businesses.

There is no change in compliance standards or reporting requirements associated with this rule revision.

B. Establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses.

There are no schedules for compliance or reporting requirements associated with this rule revision.

C. Consolidation or simplification of compliance or reporting requirements for small businesses.

There are no schedules for compliance or reporting requirements associated with this rule revision.

D. Establishment of performance standards for small businesses instead of design or operational standards imposed on other regulated entities by the rule.

No performance standards, design standards, or operational standards are imposed on regulated entities associated with this rule revision.

E. Exemption of small businesses from part or all of the requirements or costs imposed by the rule.

There are no costs associated with this rule revision. The rule will benefit the regulated community in that more sites will be approvable for construction of on-site sewage systems.

Conclusion

The amendments proposed will have no negative financial effect on the regulated community in Indiana. In fact, some of the provisions will have a positive financial effect as more sites will be available for development

and, due to reduction of some requirements, flexibility in others and clarification of existing requirements.

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